

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KATHERINE N. PAYNE AND ARTHUR
COATES,**

Plaintiffs,

v.

**MARRIOTT EMPLOYEES FEDERAL
CREDIT UNION,**

Defendant.

CIVIL ACTION

NO. 18-4009

ORDER

AND NOW, this 9th day of January, 2019, upon consideration of Defendant's Motion to Dismiss (ECF No. 9), Plaintiffs' Response in Opposition (ECF No. 14), and Defendant's Reply (ECF No. 15), **IT IS ORDERED** that:

- 1) Defendant's Motion is **GRANTED** as to Plaintiffs' claims for actual damages; Plaintiffs' claims for actual damages are **DISMISSED WITHOUT PREJUDICE**.
- 2) Defendant's Motion is otherwise **DENIED**.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.